

REMARKS/ARGUMENTS

Initially, Applicant would like to express their appreciation to the Examiner for the detailed Official Action provided.

Upon entry of the above amendments, claim 35 will have been amended. Claims 17-35 are currently pending. Applicants respectfully request reconsideration of the outstanding rejections, and allowance of all the claims pending in the present application.

In the Official Action, the Examiner has rejected claim 35 under 35 U.S.C. § 112, second paragraph, for being indefinite. More particularly, the Examiner asserts that the recitation of “narrow” in this claim renders the claim indefinite.

Without acquiescing to the propriety of the Examiner’s rejection, Applicants have amended claim 35 to delete the recitation of “narrow” from the claim. Accordingly, the above-noted rejection is believed to be moot and should be withdrawn.

In the Official Action, the Examiner has rejected claims 17-35 under 35 U.S.C. §103(a) over GENNAMI (U.S. Patent No. 6,672,101) in view of JANG (U.S. Patent No. 6,237,362).

Applicants respectfully traverse the Examiner’s above-noted rejection. In this regard, Applicants submit that GENNAMI and JANG, alone or in any properly reasoned combination, lack any disclosure of the combination of elements as recited in claims 17 and 35.

In particular, claim 17 sets forth a compressor including, inter alia, a housing that contains the compression mechanism and the reservoir; and a refrigerant go-around passage which introduces the refrigerant discharged from the compression mechanism into the housing via a refrigerant introducing port, the refrigerant go-around passage

being spaced from and surrounding a structure which surrounds an axial line of the compressor, the refrigerant being directed around the axial line of the compressor and returned to a discharge-port side of the housing via a refrigerant returning port, while separating the liquid from the refrigerant by centrifugation or by centrifugation and collision, wherein a liquid returning port is provided to return the separated liquid into the housing in a wall of a mid part of the refrigerant go-around passage in such a manner that the liquid returning port has an orientation that has a component in a direction of gravity and that is deviated from a traveling direction of the refrigerant.

Applicants submit that GENNAMI and JANG, alone or in any properly reasoned combination, lack any disclosure of at least the above-noted combination of elements.

In setting forth the rejection, the Examiner cites to GENNAMI as purportedly disclosing the general structure of the presently claimed invention. However, the Examiner acknowledges that GENNAMI does not disclose the presently claimed refrigerant go-around passage (see, page 3, paragraph 4, of the Official Action). Nevertheless, the Examiner asserts that it would have been obvious to supply the acknowledged deficiencies of GENNAMI with the teachings of JANG (see, page 4, paragraph 4, of the Official Action).

More particularly, the Examiner asserts that JANG teaches “a refrigerant go-around passage,” as indicated by directional flow arrows in Figure 1 of JANG.

Contrary to the Examiner assertions, Applicants submit that the separating chamber of JANG 21 is very different structurally from the presently claimed presently refrigerant go-around passage.

More specifically, Applicants submit that the oil separating chamber 21 of JANG

occupies generally an entire central opening in the housing. Thus, Applicants submit that JANG does not disclose (*and the Examiner does not explain how or where the applied prior art discloses*) the presently claimed refrigerant go-around passage being spaced from and surrounding a structure which surrounds the central axis of the compressor, as generally recited in claim 17.

In regard to the rejection of claim 35, this claim sets forth a compressor including, inter alia, a refrigerant go-around passage comprising a spiraling channel, wherein the refrigerant go-around passage introduces the refrigerant discharged from the compression mechanism into the housing via a refrigerant introducing port, wherein the refrigerant is directed around an axial line of the compressor and returned to a discharge-port side of the housing via a refrigerant returning port, while separating the liquid from the refrigerant by centrifugation or by centrifugation and collision.

Applicants submit that GENNAMI and JANG, alone or in any properly reasoned combination, lack any disclosure of at least the above-noted combination of elements.

In setting forth the rejection of claim 35, the Examiner acknowledges that neither GENNAMI nor JANG discloses the presently claimed refrigerant go-around passage comprising a spiraling channel. Nevertheless, the Examiner asserts that the presently claimed refrigerant go-around passage comprising a spiraling channel is merely an obvious change in shape (see, page 5, paragraph 5, of the Official Action).

Contrary to the Examiner's assertions, Applicants submit that the Examiner has not provided any factual evidence to support the assertion that it would have been obvious to modify the oil-separating channel 21 of JANG to comprise a spiraling channel. In fact, Applicants submit that, because JANG discloses an oil-separating

channel 21 which occupies an entire central opening in the housing, JANG actually teaches against the presently claimed refrigerant go-around passage comprising a spiraling channel.

Further, if the Examiner decides to maintain the rejection based on the aforementioned assertion, Applicants respectfully requests that the Examiner provide an appropriate teaching reference indicating the same.

Accordingly, the rejections of claims 17 (as well as claims 18-34 depending therefrom) and 35 under 35 U.S.C. § 103 are improper, and should be withdrawn.

In view of the remarks herein-contained, Applicants submit that independent claims 17 and 35 are in condition for allowance. With regard to dependent claims 18-34, Applicants assert that they are allowable on their own merit, as well as because of their dependencies from independent claim 17, which Applicants have shown to be allowable.

Thus, it is respectfully submitted that all of the claims in the present application are clearly patentable over the references cited by the Examiner, either alone or in combination, and an indication to such effect is respectfully requested, in due course.

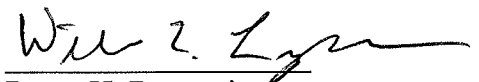
SUMMARY

Applicants submit that the present application is in condition for allowance, and respectfully request an indication to that effect. Applicants have argued the patentability of the claims and pointed out deficiencies of the applied references. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the claims therein are respectfully requested and is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejection is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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